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Practitioner's Docket No. 2605/101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Toshio Miyata

Application No.: 10/018,311

International Filing Date: 28 April 2000

For: MEG-3 PROTEIN

Group No.: Not Yet Assigned

Examiner: Not Yet Assigned

Commissioner for Patents
Washington, D.C. 20231

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REQUEST THAT ERRONEOUS ESTABLISHMENT OF STATUS
AS SMALL ENTITY BE EXCUSED
(37 C.F.R. § 1.28(c))

FILING OF SMALL ENTITY STATEMENT

1. On October 30, 2001, a small entity assertion was filed in this application.
2. On October 25, 2002, applicant has now discovered that such status as a small entity was, in good faith, established in error.
3. Applicant hereby notifies the Office that it is not entitled to status as a small entity.
4. A \$907.00 fee has been paid by the applicant in this application as a small entity.
5. Applicant submits a check in the amount of \$907.00 to cover the filing fees for a large entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is **optional**.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10*

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Signature

Date: December 3, 2002

Morton Chirnomas

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Date: December 3, 2002


Morton Chirnomas
Registration No. 34,465
BROMBERG & SUNSTEIN LLP
125 Summer Street
Boston, MA 02110-1618
US
617-443-9292
Customer No. 002101

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